



MODIFICATION OF GRANT OR AGREEMENT	PAGE	OF PAGES
	1	3

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: <b>16-LE-11060500-018 (Baker Lake Recreation Area Patrols)</b>	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY: <b>201606047-5</b>	3. MODIFICATION NUMBER: <b>005</b>
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4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): <b>Amy Verellen, Grants Management Specialist Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Phone: (509) 664-9231 Email: <a href="mailto:amy.verellen@usda.gov">amy.verellen@usda.gov</a></b>	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): <b>James V. Griffin, Patrol Captain Northwest Washington Zone (NWWZ) Mt. Baker-Snoqualmie National Forest 2930 Wetmore Avenue, Suite 3A Everett, WA 98201 Phone: (425) 783-6090 Email: <a href="mailto:james.griffin@usda.gov">james.griffin@usda.gov</a></b>
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6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): <b>Attn: Bill Elfo, Sheriff Whatcom County Sheriff's Office (WCSO) 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6600 Email: <a href="mailto:belfo@co.whatcom.wa.us">belfo@co.whatcom.wa.us</a></b>	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): <b>Dawn Pierce, Sr. Administrative Assistant Whatcom County Sheriff's Office 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6606 Email: <a href="mailto:SheriffAccounting@co.whatcom.wa.us">SheriffAccounting@co.whatcom.wa.us</a></b>
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8. PURPOSE OF MODIFICATION

CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.
<input type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD:
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Add funding for Fiscal Year (FY) 2020 in the amount of <b>\$21,900.00</b> . De-obligate prior FY funds in the amount of <b>\$606.00</b> .
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: Update Whatcom County contacts information.
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): FY2020 Baker Lake Recreation Area Annual Operating and Financial Plan.

**Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.**


9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed): Modification 005 is made to add funds in the amount of **\$21,900.00** for the work outlined in the fiscal year 2020 Annual Operating Plan, and to de-obligate **\$606.00**. Update Undersheriff from Parks to Chadwick per Section I of the Annual Operating and Financial Plan; and, update the Financial Contact from Korn to Pierce, per Block 7 above. All funding previously obligated under this agreement has expired and will be de-obligated.

10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: EXHIBIT A – FY 2020 Baker Lake Recreation Area Annual Operating and Financial Plan

11. SIGNATURES

**AUTHORIZED REPRESENTATIVE:** BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. WHATCOM COUNTY SIGNATURE  (Signature of Signatory Official)	11.B. DATE SIGNED <b>06-12-20</b>	11.C. U.S. FOREST SERVICE SIGNATURE  (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): <b>BILL ELFO</b>		11.F. NAME (type or print): <b>JODY M. WEIL</b>	
11.G. TITLE (type or print): <b>Sheriff, Whatcom County</b>		11.H. TITLE (type or print): <b>Forest Supervisor, Mt. Baker-Snoqualmie,</b>	



		National Forest	
11.I. WHATCOM COUNTY SIGNATURE	11.J. DATE SIGNED	11.K. U.S. FOREST SERVICE SIGNATURE <b>JOHN BYAS</b> Digitally signed by JOHN BYAS Date: 2020.06.10 06:54:55 -07'00'	11.L. DATE SIGNED
(Signature of Signatory Official)		(Signature of Signatory Official)	
11.M. NAME (type or print): <b>BRANDON WALDRON</b>		11.N. NAME (type or print): <b>JOHN BYAS</b>	
11.O. TITLE (type or print): <b>Civil Deputy Prosecuting Attorney, Whatcom County</b>		11.P. TITLE (type or print): <b>Special Agent in Charge U.S. Forest Service, Pacific Northwest Region</b>	
11.Q. WHATCOM COUNTY SIGNATURE	11.R. DATE SIGNED		
(Signature of Signatory Official)			
11.U. NAME (type or print): <b>SAPTAL SINGH SIDHU</b>			
11.W. TITLE: <b>Executive, Whatcom County</b>			
<b>12. G&amp;A REVIEW</b>			
12.A. The authority and format of this modification have been reviewed and approved for signature by:  <b>KELLY UNDERWOOD</b> Digitally signed by KELLY UNDERWOOD Date: 2020.06.09 10:12:13 -07'00'  <b>KELLY M. UNDERWOOD</b> (Mod. 005, Agreement No.: 16-LE-11060500-018) Grants & Agreements Specialist, U.S. Forest Service			12.B. DATE SIGNED

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



FS Agreement No. 16-LE-11060500-018

Mod 005

Cooperator Agreement No. 201606047-5

**EXHIBIT A**

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &  
FINANCIAL PLAN**

**Between**

**WHATCOM COUNTY**

**And the**

**USDA, FOREST SERVICE**

**MT. BAKER-SNOQUALMIE NATIONAL FOREST**

**2020 BAKER LAKE RECREATION AREA  
ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between Whatcom County (doing business as Whatcom County Sheriff’s Office), hereinafter referred to as “Whatcom County,” and the USDA, Forest Service, Mt. Baker-Snoqualmie National Forest, hereinafter referred to as the “U.S. Forest Service,” under the provisions of Cooperative Law Enforcement Agreement #16-LE-11060500-018 executed on July 8, 2016. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning May 1, 2020 and ending September 30, 2020.

FERC License #2150 Baker Lake Hydroelectric Project. See also USFS agreement 09-CO-11060500-032 (Exhibit A, Article 318) which expires on 10/01/2058 for information on one year funding authorization (Provision C. III Budget Authorization).

Current 2020 Year Obligation: \$21,900.00  
**FY2020 Total Annual Operating Plan: \$21,900.00**

This agreement is to ensure protection of Government property and the general safety of the public on Forest Service lands during peak periods of public use. This agreement is for Whatcom County Sheriff’s Office law enforcement patrol services in the Baker Lake Recreation Area.

Objectives for Law Enforcement Patrols (LEP) in Baker Basin: Address issues that arise as a result of visitors attracted to the reservoir and its immediate environs as a result of the existence of the Baker Hydro Project.

Provide adequate law enforcement coverage during the prescribed period of time in an effort to increase the presence and visibility of law enforcement within the project area. By having a variety of law enforcement resources assigned to work the project area; the ability to actively patrol, educate, deter, and investigate violations of Federal and State laws and regulations



increases the likelihood of gaining compliance from the visiting publics. Additionally, with a collaborative approach to enforcement operations, coverage within the project area is sufficient to meet the needs of the LEP.

Law enforcement operations include, but are not limited to: handling a variety of criminal complaints, illegal drug and alcohol use, traffic violations, public health and safety issues, medical, resource protection, public education, and fire.

Furthermore, the collaborative efforts will address the increased visitation and attendant effects of sockeye season to include:

1. Traffic, parking
2. Boater/camper use and timing conflicts
3. Crowding and safety on and off the water
4. Emergencies, especially on the east side and on the water which may be time sensitive
5. Resource impacts – general use and misuse of developed and dispersed facilities
6. Boats anchoring in the lake in the dark w/o lights
7. Boaters travelling too fast
8. Boats not using the correct ramp for their size: i.e. only Kulshan and Swift Creek are appropriate for large boats and trailers
9. Boats coming from a wide area: invasive species inspections and education
10. Trash, human waste, bear and wildlife management
11. Violations of state boating and fishing regulations
12. Enforcement of delineated no-wake zones, swim areas, loon platforms.

**I. GENERAL:**

A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

**Principal Cooperator Contacts:**

Cooperator Program Contact	Cooperator Administrative Contact
Bill Elfo, Sheriff 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6600 FAX: 360-778-6601 Email: <a href="mailto:belfo@co.whatcom.wa.us">belfo@co.whatcom.wa.us</a>	Doug Chadwick, Undersheriff 311 Grand Avenue Bellingham, WA 98225 Phone: (360) 778-6618 Email: <a href="mailto:DChadwic@co.whatcom.wa.us">DChadwic@co.whatcom.wa.us</a>
	Dawn Pierce, Sr. Administrative Assistant 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6606 Email: <a href="mailto:SheriffAccounting@co.whatcom.wa.us">SheriffAccounting@co.whatcom.wa.us</a>



**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
James Griffin, Patrol Captain Mt. Baker-Snoqualmie National Forest 2930 Wetmore Ave, Suite 3A Everett, WA 98201 Telephone: 425-783-6090 FAX: 425-783-6098 Email: <a href="mailto:james.griffin@usda.gov">james.griffin@usda.gov</a>	Cindy Orlando, Program Assistant Mt Baker-Snoqualmie National Forest 2930 Wetmore Ave. Suite 3A Everett, WA 98201 Telephone: 425-783-6092 FAX: 425-783-6098 Email: <a href="mailto:cindy.orlando@usda.gov">cindy.orlando@usda.gov</a>
<b>U.S. Forest Service Agreement Contact</b>	
Amy Verellen, Grants Management Specialist 215 Melody Lane Wenatchee, WA, 98801 Phone: (509) 664-9231 Email: <a href="mailto:amy.verellen@usda.gov">amy.verellen@usda.gov</a>	

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

**\$85.00** / hour overtime rate

**II. PATROL ACTIVITIES:**

- A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Whatcom County and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.
- B. Patrol services shall be provided from May through September. Officers should use discretion when the weather is bad or the activity level is otherwise low to adjust or even shorten their shift accordingly.

1. Patrol on following U.S. Forest Service roads:

- a. Baker Lake Road from the County line north to the end, this should include checks at roadside dispersed campsites
- b. Forest Road 1106 to Kulshan Campground and Boat Launch, continue across the dam for a couple miles
- c. Spur Road of Forest Road 1106 to Depression Lake
- d. Forest Road 1122 to the area of Lower Sandy recreation area
- e. Forest Road 1130 to Hot Springs



- f. Forest Road 1152 across from Shannon Creek Campground for approximately 1 mile.
2. Patrol in the following campgrounds, developed sites, or dispersed areas:
    - a. Horseshoe Cove Campground
    - b. Bayview Campground
    - c. Boulder Creek Campground
    - d. Panorama Point Campground and Boat Launch
    - e. Park Creek Campground
    - f. Swift Creek Campground and Boat Launch
    - g. Shannon Creek Campground
    - h. Dispersed recreation sites adjacent to Baker Lake

Total reimbursement for this category shall not exceed the amount of: **\$21,900.00**.

### III. SPECIAL ENFORCEMENT SITUATIONS:

- A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.
- B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify Whatcom County whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.
  1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
  2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team



managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

3. Group Gatherings: This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

#### IV. BILLING FREQUENCY:

*See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.*

- A. Whatcom County will submit invoices for reimbursement of services provided under Section II of this agreement monthly to:

USDA Forest Service, Albuquerque Service Center  
Payments-Grants and Agreements  
101B Sun Avenue, NE  
Albuquerque, NM 87107  
Email: [SM.FS.asc\\_ga@usda.gov](mailto:SM.FS.asc_ga@usda.gov) (*preferred method*)

**Invoices may also be faxed to:**

1-877-687-4894  
Fax coversheet should be addressed to:  
USDA Forest Service  
ASC-Payments-Grants and Agreements

- B. Whatcom County will prepare an itemized statement for each invoice submitted to the Albuquerque Service Center. The statement will be sufficient detail to allow the U.S. Forest Service to verify expenditures authorized under Section II. The itemized statement for reimbursement will also include the following information:

1. Areas patrolled and miles traveled on NFS lands.
2. Person-hours worked in NFS patrol areas.
3. Copies of completed Daily Activity Reports.
4. Copies of invoice submitted.

The statement should be sent to the following:

USDA Forest Service  
Law Enforcement & Investigations  
Attn: James V. Griffin, Patrol Captain



2930 Wetmore Ave. Ste 3A  
Everett, WA 98201  
Email: [james.griffin@usda.gov](mailto:james.griffin@usda.gov)  
cc: [cindy.orlando@usda.gov](mailto:cindy.orlando@usda.gov) (preferred method)

- C. For reimbursement of services provided under Sections III-B-1 and III-B3 of this agreement, billing instructions will be specified in the revised Operating Plan.
- D. For reimbursement of Fire Emergency services provided under Section III. B. 2 of this agreement, the following billing procedure will be used:
  - 1. Rates: The rates of reimbursement for fire emergencies are specified in Section I. Where seasonal and/or reserves are used and actual expenses are less than the stated rate, actual expenses will be billed and reimbursed.
  - 2. Fire Billing Documentation: Invoices for reimbursement of services for each incident must include agency name, fire number, job code, invoice date, brief description of the services provided, mileage, other authorized expenses, amount of payment request, agreement number, a copy of the current operating plan and individual employee times and their agreement rate. Such times will be documented on Crew Time Reports, shift tickets or other agreed-upon form. Other authorized expenses must be documented and approved by an Agency Representative.

All incident shift tickets and expenses must be approved by incident management personnel who will then prepare an Emergency Use Invoice and, upon concurrence of the Cooperator, will submit the invoice for payment to the Albuquerque Service Center, Incident Finance, along with a copy of the current Operating Plan.

Original documentation will be maintained by the U.S. Forest Service in the appropriate fire documentation files or appropriate incident management personnel; the Cooperator will maintain copies of all such documentation.

Whatcom County will be listed and maintain currency in the System for Award Management database accessible through the internet at <http://www.sam.gov>.

- E. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

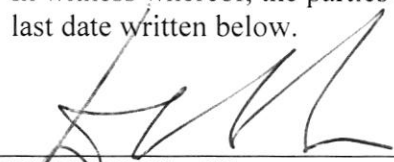
Category	Estimated Costs	Not to Exceed
Patrol Activities	\$21,900.00	\$21,900.00
Training	N/A	N/A
Equipment	N/A	N/A
Special Enforcement Situations	N/A	N/A
<b>Total</b>	<b>\$21,900.00</b>	<b>\$21,900.00</b>





- F. Any remaining federally appropriated funding (this does not apply to funding from FERC license which is limited to 1 year availability) in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or de-obligated at request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*
- G. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

  
 \_\_\_\_\_  
 BILL ELFO, Sheriff  
 Whatcom County Sheriff's Office

06-12-20  
 \_\_\_\_\_  
 Date

APPROVED BY EMAIL BW/DMP  
 \_\_\_\_\_  
 BRANDON WALDRON, Civil Deputy  
 Prosecuting Attorney, Whatcom County

6-12-20  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 SATPAL SINGH SIDHU, Executive

\_\_\_\_\_  
 Date

STATE OF WASHINGTON )  
 ) ss  
 )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Jack Louws, to me known to be the Executive of Whatcom County, who executed the above instrument and who acknowledged to me the act of signing and sealing thereof.

\_\_\_\_\_  
 NOTARY PUBLIC in and for the State of Washington,  
 residing at \_\_\_\_\_.  
 My commission expires \_\_\_\_\_.



JODY M. WEIL, Forest Supervisor  
USDA Forest Service, Mt. Baker-Snoqualmie NF

Date

**JOHN BYAS** Digitally signed by JOHN BYAS  
Date: 2020.06.10 11:51:06 -07'00'

JOHN BYAS, Special Agent in Charge  
USDA Forest Service, Pacific Northwest Region

Date

The authority and format of this agreement (**Mod. 005, Agreement No.: 16-LE-11060500-018**) have been reviewed and approved for signature.

**KELLY UNDERWOOD** Digitally signed by KELLY  
UNDERWOOD  
Date: 2020.06.09 10:11:36 -07'00'

KELLY M. UNDERWOOD  
U.S. Forest Service Grants Management Specialist

Date

Burden Statement

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